

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
JO A. ISRAELSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.:
	)	
GREYHOUND LINES, INC.,	)	
	)	
Defendant.	)	
_____	)	

**NOTICE OF REMOVAL**

TO: The Chief Judge and Judges of the United States District Court for the  
District of Massachusetts

The Defendant, Greyhound Lines, Inc. (“Greyhound”) hereby files this Notice of Removal of the captioned action from the Suffolk Superior Court, Commonwealth of Massachusetts, to the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. In support of its Notice of Removal, Greyhound states as follows:

1. The underlying action is one which this Court has original jurisdiction under 28 U.S.C. § 1332 and which may be removed to this Court by Greyhound pursuant to 28 U.S.C. § 1441(a) because there is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000.

2. The Plaintiff, Jo A. Israelson (“Plaintiff”) filed her Complaint in Suffolk Superior Court in the Commonwealth of Massachusetts (C.A. No. 2084CV01697H) on July 31, 2020.

3. The Plaintiff served Greyhound with a Summons and copy of the Complaint on October 8, 2020. A copy of the Summons, Complaint and Tracking Order are attached hereto as *Exhibit A*.

4. On or about Wednesday, October 28, 2020, Greyhound filed its Answer to the Plaintiff's Complaint. Nevertheless, upon information and belief, no further proceedings have been had in the Civil Action.

5. Removal is timely because Greyhound has filed this Notice of Removal within thirty (30) days of service of the Summons and Complaint. See U.S.C. § 1446(b).

6. The Plaintiff avers in the Complaint that he resides in Union Bridge, Maryland. See *Exhibit A* ("Complaint") at ¶ 1.

7. Greyhound is a Texas company, with a principal place of business located in Dallas, Texas. See *Exhibit B* ("Texas Secretary of State Summary"); see also *Exhibit A* at ¶ 2.<sup>1</sup>

8. Accordingly, complete diversity of citizenship exists under 28 U.S.C. § 1332.

9. Upon information and belief, the amount in controversy exceeds \$75,000, exclusive of interests and costs. Although Plaintiff's Civil Action Cover Sheet states that "plaintiff believes . . . that her damages are likely to exceed \$50,000.00," see *Exhibit C* ("Civil Action Cover Sheet"), Plaintiff would not stipulate that her damages did not exceed \$75,000.00 in responding to an inquiry from undersigned counsel. See *Exhibit D* ("Email Exchange dated October 22, 2020").

10. Federal jurisdiction exists pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship between the Plaintiff and Greyhound, the amount in controversy likely exceeds \$75,000.00.

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<sup>1</sup> Plaintiff alleges that Greyhound is incorporated in the State of Delaware with a principal place of business in Ohio. Although Greyhound denies this allegation given its location in Texas, for continued purposes of this Notice it is sufficient for diversity.

11. Greyhound desires to remove this Civil Action to the District Court of the United States for the District in which it is now pending; to-wit, the District of Massachusetts (Boston). 28 U.S.C. § 1441(a).

12. Pursuant to 28 U.S.C. § 1446(a) and Local Rule D. Mass 81.1 copies of all process, pleadings and orders received by Greyhound are attached hereto as *Exhibit A*.

13. Pursuant to 28 U.S.C. § 1446(d), Greyhound will promptly give notice of this filing to all parties, a certified copy of this Notice will be filed with the Clerk of the Suffolk Superior Court, Suffolk County, Massachusetts, and certified copies of all pleadings on file in said Suffolk Superior Court will be filed with this Court.

14. Greyhound has good and sufficient defenses to Plaintiff's claims in this action.

15. No previous application for the relief sought herein has been made to this or any other court.

WHEREFORE, Greyhound respectfully requests removal of the above-captioned matter from the Suffolk County Superior Court, Commonwealth of Massachusetts, to the United States District Court for the District of Massachusetts.

The Defendant,

GREYHOUND LINES, INC.,

By Its Attorneys,

CAMPBELL CONROY & O'NEIL, P.C.

Dated: October 30, 2020

/s/ Brian P. Voke

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**CERTIFICATE OF SERVICE**

On October 30, 2020, I, Brian P. Voke, filed electronically and served by mail on anyone unable to accept electronic filing the foregoing document. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Brian P. Voke

Brian P. Voke